

**1666 COFFMAN CONDOMINIUM
SALE OF A UNIT**

**BOARD REGULATION No. 12
Revision 13: 8-27-13**

1. **Role of the Association.** The Association does not have any legal responsibility to assist owners in the sale of their Units. However, the Association recognizes that it is in the collective interest of all owners that Units for sale be sold promptly and at a fair price. For this reason, the Association, through its Promotions Committee, will send a one-time unit-for-sale flier to all prospects on the 1666 Coffman mailing list and to all current residents at no cost to the seller. A flier will be posted on the office bulletin board and sent to any new inquirers.

2. **Eligibility for Occupancy.** As stated in Article IV, Section 3 of the *Restatement of Declaration* dated February 13, 1996, eligible buyers must be current or former employees of the University of Minnesota who are 55 years of age or older, their spouses regardless of age, or a widow or widower, at least 55, of an eligible person. (See copy attached – pages 4 and 5.)

3. **Application for Occupancy.** As a result of this marketing effort, prospective buyers who indicate an interest in purchasing a Unit in 1666 Coffman now or in the future will be asked to complete an *Application for Eligibility for Occupancy at 1666 Coffman*. The applicant's University affiliation will be verified by a Board member, usually the Vice President. The application will be reviewed by the Association's Board of Directors, and those meeting eligibility requirements will be placed on a non-prioritized List of Eligible Buyers. A letter of eligibility will be mailed to the applicant(s).

4. **Responsibilities of the Seller to Market the Unit.** An Owner/Executor may sell a Unit privately, or select a realtor to handle the sale. When a realty listing agreement has been signed, the Realtor will advise the Chair of the Promotions Committee of the listing information for the flier. If the Unit has been appraised to sell privately, the Owner/Executor must notify the Site Manager (651-644-4541), Fax 651-647-4370) of the Unit number, date of availability, the name and telephone number of the family contact, and the asking price. The for-sale flier will be mailed promptly by the Promotions Committee to the Association mailing list, to all residents and all future inquirers.

5. **Providing Documents for Prospective Buyer(s).** The Owner/Executor is also responsible for delivering to the Realtor (or directly to the prospective buyer in a private sale) a copy of *Board Regulation No. 12, including Article IV, Section 2. Limitations on Sales and Ownership, and Section 3. Eligibility for Occupancy.* (See pages 4 and 5.)

6. **Listing on 1666 Web Site.** All units for sale automatically will be entered free of charge on the Coffman Home Page (www.1666coffman.com).

7. **Requesting DDD Flier from U of M Real Estate Office.** Early in the sale process, the Owner/Executor or the Realtor is expected to request the Director of Real Estate, University Real Estate Office, 424 Donhowe Bldg., 319 15th Ave. S.E., Mpls, MN 55455-0199, 612-625-5345, to provide one free distribution of a "for sale" flier about the Unit to be sent via campus mail to Deans, Directors and Department Heads for posting in the departments. **NOTE:** This is an important requirement for applying for a Hardship waiver, if needed. See Board Reg. No. 18, Criteria - Applying for Hardship Waiver – Sale of a Unit, Rev.1, 9/25/12.

8. **Building Tours.** Realtors who have questions or wish a tour of the building should be referred to the Chair of the Promotions Committee. **The Promotions Committee does not give building tours to a Realtor's clients or show units for sale to prospects.** An Owner or Executor selling a unit must provide his or her own tours and unit showings. Units are to be shown to prospects **by appointment only.** For building security, the Owner/Executor or realtor is responsible for escorting the prospect(s) in and out of the building.

9. **Approval of Buyer(s).** If the prospective buyer(s) has not been pre-approved by the Board of Directors as eligible to own and occupy a Unit at 1666 Coffman, a completed *Application for Eligibility for Occupancy at 1666 Coffman* **must** be submitted to the Board for review. Regular Board meetings are held the 4th Tuesday of each month, but if there is a clear need for urgency the Board may be polled by the President. The Federal Fair Housing Amendment Act requires that all applicants submit proof of age with the application: a copy of a driver's license, birth certificate, or passport. After review by the Board of Directors, a letter of eligibility will be sent by the Association's President to the applicant(s). **This letter of approval is required before a purchase agreement is signed or a closing transaction can take place.**

10. **Requesting Disclosure Certificate.** The Minnesota Uniform Condominium Law requires that when a purchase agreement is signed (either with a Realtor or as a private sale by Owner/Executor), the buyer(s) **must** be furnished with a **Common Interest Community Resale Disclosure Certificate.** The Realtor or the Owner/Executor in a private sale **must** request this document from the Site Manager. It is provided by the Association and is signed by the Treasurer. **Effective January 1, 2012, the Owner or Executor selling the unit will be billed the standard fee of \$200.00 for the documents.** When it is presented to the prospective buyer(s), a **10-day waiting period** starts in which the buyer(s) may choose to withdraw from the sale.

11. **Providing Association Documents.** At the same time, the Realtor or Owner/Executor **must** give the buyer(s) the Association governing documents. Owner/Executor should check with the Site Manager to make certain the notebook is up-to-date. The new Owner(s) will sign for the receipt of the *Ground Lease, Restated Declaration, By-laws, and Regulations.*

12. **Closing the Sale.** The Realtor, or the Owner(s)/Executor/Personal Representative selling the Unit privately, must advise the 1666 Coffman Site Manager and the Promotions Chair of the scheduled date of closing.

All necessary title information is available from the Ramsey County Department of Property Records and Revenue, 90 Plato Blvd. W., St. Paul, MN 55164-0097 (phone 651-266-2000). Web Site: <http://rrinfo.co.ramsey.mn.us/public/characteristic/index.aspx>

The need for the Duplicate Certificate of Title formerly required for the sale and transfer of ownership was discontinued by State Statute in January, 2000.

At the time of closing the sale **but not before,** the seller must turn over building, mail box, storage locker and Unit keys, and the garage door opener remote control to the new owner(s). Prospective buyer(s) are **not permitted to occupy the Unit, or begin any structural or decorating changes to the Unit until the legal transfer of the title is completed.**

In the transfer of title to the Unit, a policy of Owner's Title Insurance will be required. As a prerequisite for obtaining Owner's Title Insurance, both the seller and the prospective buyer(s) will be required to sign an affidavit stating that **"There are no unpaid bills for labor, services or material for construction of improvements, alterations or repairs to the property during the last six months."**

This restriction is for the protection of the 1666 Coffman Condominium Association, as well as the current Owner(s), the prospective Buyer(s) and the Title Insurance Company.

13. **A Welcome Packet.** The new Owner(s) will receive a Welcome Letter from the Board and an information packet from the Site Manager.

14. **Applying for Hardship Waiver, if needed.** If the Unit has not been sold at a fair asking price, and after a reasonable time and sales effort, the Owner/Executor **must** apply to the 1666 Board of Directors for a hardship waiver. See Board Regulation No. 18, Criteria – Applying for Hardship Waiver – Sale of a Unit, Rev. 1, 9/25/12.

Attachment: Excerpt – Restatement of Declaration dated February 13, 1996
Article IV, Restrictions, Conditions and Covenants,
Section 2. Limitation on Sales and Ownership
Section 3. Eligibility for Occupancy

1666 COFFMAN CONDOMINIUM ASSOCIATION, INC.

EXCERPT -- Restatement of Declaration dated February 13, 1996,
Article IV, Restrictions, Conditions and Covenants
Section 2., Limitations on Sales and Ownership, page 12
Section 3., Eligibility for Occupancy, page 13-14

2. Limitations on Sales and Ownership. The following limitations apply to the ownership of Units in the Condominium:

- a. No Unit may be sold to any person who does not meet the Eligibility for Occupancy requirements of Article IV, Section 3 below.
- b. A Unit may be transferred to a new owner via inheritance or other legal means but the new owner must meet the requirements of Article IV, Section 3. hereof to occupy the Unit. Upon termination of ownership by an eligible occupant, the Unit shall be placed on the market as soon as practicable for sale to an eligible owner/occupant.

3. Eligibility for Occupancy. No Unit in the Condominium shall be occupied by or rented or leased to any person who is not an eligible occupant. Eligible Occupant is defined as follows:

- a. current or retired University of Minnesota employees who are 55 years of age or older, and their spouses regardless of age;
- b. the widows or widowers of University of Minnesota employees who are 55 years of age or older, or who are in residence at the time of the eligible spouse's death;
- c. divorced spouses of University of Minnesota employees who are in residence in the Condominium at the time of the divorce;
- d. any person who is a lawful Owner of a Unit in the Condominium as of the date of recording of the Lease between the Association and the University of Minnesota dated March 3, 1994;
- e. current spouse of an eligible Owner for estate planning purposes;
- f. any other person who is 55 years of age or older with a suitable University affiliation upon the written consent of the University of Minnesota;
- g. an existing family or other household member to continue in residence, and
- h. a child or children of an otherwise eligible Owner (one generation).

Excerpt – Restatement of Declaration dated February 13, 1996
Section 3. Eligibility for Occupancy (continued)

1. The intent of this provision is that, as a whole, this Condominium shall provide housing for persons 55 years of age or older and that this Condominium shall comply in all respects with the letter and spirit of the definition of “housing for older persons” under the Federal Fair Housing Amendments Act of 1988. For that purpose, it is further the intent of this provision that at least 80 percent of the Units in the Condominium shall at all times be occupied by at least one person 55 years of age or older.

- ◆ Employees who perform substantial duties directly related to the management or maintenance of the Condominium (and their families) are not counted for or against the 80 percent rule.
- ◆ Upon the showing of a compelling need or hardship, the Association Board of Directors may approve a sale to an individual(s) under age 55, but otherwise eligible, provided such sale does not place the Condominium at risk of failing to qualify under the definition of “housing for older persons” as provided in the Federal Fair Housing Amendment Act of 1988.
- ◆ The status of an eligible owner is not assignable or transferable, except as noted in Section 2, and does not run with the title to a Unit.
- ◆ The Condominium Board shall adopt, and the management shall implement and enforce policies and procedures effectuating this restriction and intent.